

Assembly Joint Resolution

No. 15

Introduced by Assembly Member Alejo

March 6, 2013

Assembly Joint Resolution No. 15—Relative to the Voting Rights Act of 1965.

LEGISLATIVE COUNSEL'S DIGEST

AJR 15, as introduced, Alejo. Voting Rights Act of 1965.

This measure would urge the Supreme Court of the United States to affirm the constitutionality of Section 5 of the Voting Rights Act of 1965.

Fiscal committee: no.

1 WHEREAS, Political sovereignty is the cornerstone of the
2 democratic process in our country; and
3 WHEREAS, The remedy and redress of grievances against the
4 government is ensured through the election of representatives who
5 voice the concerns of the public; and
6 WHEREAS, The right to vote is a fundamental right of citizens
7 of the United States and is the most important of civic rights and
8 obligations; and
9 WHEREAS, The political sovereignty of our country is
10 jeopardized when eligible people fail to vote; and
11 WHEREAS, American democracy is strengthened when we
12 create and maintain voting systems that ensure the ability of all
13 citizens to practice civic engagement by taking part in elections;
14 and

1 WHEREAS, Voter discrimination based on race is not a thing
2 of the past but a current reality that persists in places such as
3 Monterey County, where discriminatory voting procedures have
4 raised concerns as recently as 2002 and 2004; and

5 WHEREAS, The Fifteenth Amendment to the United States
6 Constitution ensures that the right of citizens of the United States
7 to vote is not denied on account of race or color; and

8 WHEREAS, The Fifteenth Amendment to the United States
9 Constitution grants the Congress of the United States the authority
10 to protect the right to vote; and

11 WHEREAS, The Congress of the United States has exercised
12 its authority to protect the right to vote by passing landmark
13 legislation of the civil rights era known as the Voting Rights Act
14 of 1965 that seeks to abolish discriminatory procedures and barriers
15 that disenfranchise minority voters; and

16 WHEREAS, Section 5 of the Voting Rights Act of 1965 has
17 contributed to the immense progress in protecting and expanding
18 the right to vote over the past few decades by ensuring that state
19 and local election practices are just and fair; and

20 WHEREAS, Section 5 of the Voting Rights Act of 1965 has
21 played, and continues to play, a critical role in preventing and
22 addressing real threats to the right to vote of all Americans; and

23 WHEREAS, Section 5 of the Voting Rights Act of 1965 allows
24 for adjustments as conditions change and is justified by the ongoing
25 disproportionate enactment of discriminatory voting policies in
26 the presently affected jurisdictions; and

27 WHEREAS, The Voting Rights Act of 1965 is a reflection of
28 the assurance provided by the United States Constitution that all
29 Americans have the right to vote without facing discrimination,
30 poll taxes, and other abuses; and

31 WHEREAS, The Congress of the United States has, time and
32 again, reaffirmed the need for protection against abuses that might
33 curtail the right to vote by renewing Section 5 of the Voting Rights
34 Act of 1965; and

35 WHEREAS, Section 5 of the Voting Rights Act of 1965 is
36 currently under review by the Supreme Court of the United States;
37 now, therefore, be it

38 *Resolved by the Assembly and the Senate of the State of*
39 *California, jointly,* That the Legislature hereby urges the Supreme
40 Court of the United States to affirm, as it has done on several

1 occasions since 1965, the clear constitutionality of Section 5 of
2 the Voting Rights Act of 1965, which provides fundamental
3 protections to the right of each citizen of the United States to vote
4 and to have his or her vote counted; and be it further

5 *Resolved*, That the Chief Clerk of the Assembly transmit copies
6 of this resolution to the Supreme Court of the United States, the
7 President of the United States, the Congress of the United States,
8 the United States Department of Justice, and the author for
9 appropriate distribution.

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